

## KOERNER'S ACTS ALL PLEAD INSANITY.

The Strange Apathy of Rose Redgate's Slayer Helps His Defence.

WITNESSES TELL OF FITS.

A Grandfather Died in a Madhouse, and He Was Subject to Queer Freaks.

JURY SEES HIS FACE JUST ONCE.

He Looks Up, Guided by His Counsel, That a Jeweller May Identify Him—Strong Opening of the Defence.

William J. Koerner, on trial for killing his sweetheart, Rose Redgate, in September last, sat throughout the proceedings yesterday with the same air of unconsciousness

The prosecution then rested their case and Attorney Levy made an address, outlining what the defence intended to prove. He said that he would prove hereditary insanity, and also such an excessive use of drugs, including cocaine, morphine and various others, as would alone induce disease of the mind. He would show that near relatives of Koerner had been confined as lunatics. He would show that Koerner had long contemplated suicide, and that he was attempting it at the time he killed the girl, and that she, in endeavoring to prevent the act, caused him to blindly turn the revolver against her.

Koerner's grandfather, Isaac, John W. Hagg, a lawyer, of Pittsburgh, the first witness for the defence, testified that Koerner's grandfather died in a private asylum. He also testified to having seen the defendant on the Pittsburgh streets in a dazed condition.

Thus far Koerner has worn on the third finger of his left hand a gold ring inscribed with the word "Mizpah," that was given him by the girl he afterwards killed. Henry Healey, the jeweller who sold it to her, and who saw the couple together in his store, was called to testify as to the ring and Koerner's identity.

"Is that the man?" he was asked. "The jury sees his face." "I cannot see his face plainly enough to say," he replied. "Raise your head, please," said Attorney Levy.

The prisoner did not seem to hear. Mr. Levy then passed his arm about his shoulder and made him understand and for a little while his face was fully shown. The jury scanned it eagerly. But there was no sign of intelligence. There was but a dull,

## NO RED CROSS AID FOR CUBANS.

Miss Barton Will Have to Confine Her Work to the Spanish.

FRENCHMAN'S EXPERIENCE

"Butcher" Weyler Wants Insurgent Sick and Wounded Killed, Not Cured.

MUST NOT HELP SPAIN'S FOES.

Melguizo Says His Columns Carry Optional Instructions to Put Pacifists Outside of Spanish Lines to Death.

By Marion Kendrick. (Copyright, 1897, by W. R. Hearst.) Havana, Feb. 13, via Jacksonville, Fla., Feb. 16.—Cubans here were much surprised

to turn his surgical instruments and medicine and linen chests to the regular medical corps of the Spanish army. He was virtually under police surveillance for a fortnight previous to his departure, the Government fearing he might slip through the lines and join the insurgents.

Cuban Sick Must Not Be Aided. One day he was ordered from the presence of General Salcedo, then commanding in the East, and threatened with arrest for daring to request a military pass to send a small package of medicine and half a dozen bandages out to a Cuban chief wounded seriously in a skirmish the previous afternoon but a few leagues from the city.

If Miss Barton can assist the Spanish National Red Cross people in their efforts, so far fruitless, to obtain funds in the United States and other foreign countries to be used exclusively for the relief of Spanish sick and wounded, she will be welcomed, but if she expects to be permitted to do anything for the Cubans I am assured that she will meet with a cold reception in official circles.

Under Weyler's orders now existing, to supply medicine to a wounded enemy of Spain means, if the fact be known, arrest, imprisonment and deportation for an indefinite period to some one of the fever-stricken islands off the African coast, used as Spanish penal stations, often without the formality even of a court-martial.

Want Cubans Killed, Not Cured. The most important work of Spanish columns now in the field, always sure to bring promotion or decoration to the commanders when reported to Weyler, is their activity in raiding Cuban hospitals in which operation a shot is seldom fired by the attacking forces, the cruel work being usually accomplished by the machete and torch. As a rule these hospitals are surprised by night and prisoners are rarely made.

General Melguizo, one of Weyler's most trusted lieutenants, and who is known as Weyler's assistant butcher on account of his cruelties, of which many stories have been published in the American press, frankly owned to me some time ago in Pinar del Rio City that his columns carried optional instructions to kill every one found outside of Spanish lines.

"Under the Captain-General's decree," he said, "all persons failing to obey his proclamation commanding the concentration of settlers in Spanish garrisoned towns are rebels and we are directed to consider as enemies such as remain beyond our picket lines in defiance of the order."

Murdered by Volunteers. The General acknowledged he was compelled in obedience to military discipline, to commit many acts which he could not but personally regret. He seemed anxious to assure me, however, that individually he had a good heart, and to prove it he volunteered the information that in a recent raid by his forces upon a Cuban hospital in the neighboring caves of Sabalo he spared the lives of three foreigners found among the sick and wounded. Two of these he believed to be Americans, one professing to be a New York newspaper correspondent. The third was a German. They were forwarded to Havana. Melguizo told me, consigned direct to the Captain-General for his personal disposition. But upon inquiry I learn that Consul Lee has trace of but one of the Americans, and the German Consul knows nothing unto this day of the Kaiser's subject.

## CHARTER MAKERS' LAST FIGHT TO-DAY.

Seth Low and William C. De Witt Said to Oppose Several Measures.

TO MEET AT THE MAYOR'S.

One Member Says He Will Not Sign Unless Certain Paragraphs Are Changed.

ALMOST OUSTED RECORDER GOFF

His Office Abolished Through a Blunder, but a Clause Was Inserted Specifying That He Shall Continue in His Position.

Although the Greater New York Charter Commission has its report to the Legislature ready, it is said that one member, at least, will not sign it. In fact, rumor unites the names of Seth Low and William C. De Witt as being opposed to several of its recommendations.

When the Charter Committee reports to the Commission in the Mayor's office to-day, there will probably be a remodelling of paragraphs so as to secure, if possible, unanimous approval. If there is no remodelling, then it is said that one of the Commissioners will send to Albany the reasons for his dissent.

Among the points of disagreement will be the double-chambered municipal assembly, the bi-partisan Police Board, and the power of the Mayor to remove heads of departments during the first six months of his term without preferring charges.

Will Fight to the Last. One of the most bitterly contested of the proposed changes, it is said, limits the power of the Mayor in the matter of appointments, and provides, also, that the Governor shall select the first magistrates under the new charter for Richmond and Queens counties. This matter may come up again to-day, and thus continue the division of sentiment in the Commission to the last moment of its existence.

When the charter and report reach Albany on Thursday it will be found that the latest changes have greatly complicated matters. There will practically be eight separate documents—the charter, five supplemental bills and two post-constitutional amendments. The supplemental bills provide:

For taking the City Courts out of City Hall and refitting City Hall for the use of the Municipal Assembly and the Board of Public Improvements.

For the organization and duties of the new constitutional supervisors.

For the election of the Supervisors in Queens County.

## To the Public.

On the evening of February 20th we will close both of our establishments, 383 Broadway and 123 and 125 Fulton St., for one week, in order to remodel same.

Reopening February 27th.

The contractors insist upon absolute possession, in order to accomplish the work within the period stated.

We offer all the merchandise in both stores at such

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ALL SUITS (Former price \$4.95 and \$8.25 not considered)

OVERCOATS (All our high grades) now \$9.75

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33 Per Cent to 50 Per Cent Reduction.

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that he has maintained from the first. He entered the court room accompanied by a guard, and walked with shambling celerity to his chair. He spoke to no one. He looked at no one.

He at once bent his head and looked fixedly at the top of the table. Accustomed to drugs, Koerner's nerves are shattered by confinement and his enforced deprivation of his accustomed stimulants. Every day, in the Tombs, he takes heavy doses of bromide to steady him.

A Strong Defence. When the day closed it was apparent that Attorney Levy had begun a powerful line of evidence to prove insanity.

District Attorney Olcott entered the court at the morning session, and remained during almost the entire day. The experts for the prosecution, who were present, were Dr. Carlos F. McDonald, Dr. Robert Sanford Newton and Dr. E. G. Mason. Those for the defence were Dr. Alois P. Hedloka, Dr. George W. Jacob and Dr. Heinrich Stern. Some of these will be placed on the stand to-day.

Policeman Armour, who was in the station house when Koerner was taken in, on the evening of the murder, testified that he noticed there was something like foam on his lips.



Koerner Sees Only the Vision of His Murdered Sweetheart.

apathetic stare, that looked beyond the witness and the Judge, without regarding either.

"That is the man," said the Jeweller. "The last witness was Randolph Oswald, who knew Koerner in Allegheny City. He had seen Koerner have fits. 'Well, for real good fits, I should say four times,' said Oswald."

On adjournment, the prisoner shambled away with the same old celerity, and still without showing any consciousness of his surroundings.

Watching for Stolen Pictures. Captain O'Brien, of the Detective Bureau, has been notified by Dr. Koerner, of the Criminal Police of Hamburg, Germany, of a lunatic committed there on the night of February 2, in which several valuable oil paintings and a large quantity of silverware were stolen.

The paintings were cut out of their frames, and the Hamburg police think they may be brought to this country. There were five paintings, representing "The Norwegian Day," "A Country View," "A Marine Picture," "An Italian Country View" and a view of the Elbe.

A Club in Drayton's House. Much curiosity has been evoked by the many indications that the house at No. 374 Fifth Avenue, formerly occupied by J. Coleman Drayton, has cast off the air of desolation which it had worn since scandal made it notorious. The Engineers' Club has just moved into the house, having relinquished its home at No. 10 West Twenty-ninth street.

Anheuser-Busch Brewing Ass'n recommends the use of the greatest of all tonics, "Malt-Nutrina," and guarantees the merits claimed for it. For sale by all druggists.—Advt.

For amending the General Election law for all Greater New York.

For the conduct of the municipal election this year.

Nearly Lost Goff. The constitutional amendments declare that, where the borough and county lines are coterminous, as in New York and Brooklyn, the double-headed Municipal Assembly will transact all business within said lines without the aid of Supervisors. Also providing for minority or proportional representation in the Municipal Assembly, the Legislature to decide whether by cumulative voting or otherwise.

Fourteen Coroners are provided for, the salaries to be fixed by the Legislature.

four for Manhattan borough, two for the Bronx, three each for Brooklyn and Queens, and two for Richmond.

By a curious oversight the Recorder of this county was abolished with the petty officials of some of the small towns within the consolidated district. So there has been a clause inserted in the charter distinctly specifying that the Recorder shall continue in his office. But for the discovery of this blunder Mr. Goff would have been turned out of office on January 1, 1898, after consolidation was approved.

Nephew of Livingston Killed. Winnipeg, Man., Feb. 16.—R. M. Livingston, of Lintonville, Ont., fell from a Canadian Pacific train east of Winnipeg and was killed. He was a nephew of Dr. Livingston, the famous African explorer.

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